



**FIRST - TIER TRIBUNAL
PROPERTY CHAMBER
(RESIDENTIAL PROPERTY)**

Case Reference : **BIR/00CN/HTA/2022/0001**

Property : **Honduras Wharf 14 Summer Lane Birmingham
B19 3SA**

Applicant : **Honduras Wharf Tenants' Association**

Representative : **Lok Leung**

Respondent : **Radcliffe Investment Properties Limited**

Representative : **Estates & Management Limited**

Type of Application : **An application for the recognition of a Tenants'
Association under Section 29 of the Landlord and
Tenant Act 1985, as amended by paragraph 10 Of
Schedule 2 to the Landlord and Tenant Act 1987**

Tribunal Member : **V Ward BSc Hons FRICS – Regional Surveyor**

Date of Decision : **12 April 2022**

DECISION

BACKGROUND

1. By an application received on 15 March 2022, the Applicant, Honduras Wharf Tenants' Association, applied for recognition as a Tenants' Association under section 29 of the Landlord and Tenant Act 1985.
2. On 17 March 2022, the Tribunal provided the Landlord with a copy of the application and asked them to confirm if they objected to the recognition of the Applicant as a Tenants' Association under the 1985 Act.
3. By way of a letter dated 4 April 2022, the Landlord confirmed that they did not oppose the recognition.
4. In addition, the Tribunal notes that there are 55 members of the association and 99 properties in the development where variable service charges are paid. This represents 55.5%.
5. A list of members was supplied with the application form.
6. The application confirmed that the association had not previously applied for recognition.
7. The copy of the constitution supplied with the application form confirms the following:
 - a) How a leaseholder can become a member of the association and who are entitled to be members.
 - b) The association's decision-making process and rules.
 - c) The mechanism by which officers of the association are appointed.
 - d) The fees and charges payable by members.
 - e) How the association represents its members.
 - f) How the constitution and rules are kept up to date.
 - g) That the association operates in an open and transparent way.
 - h) That the rules and constitution are fair and democratic.

DECISION

8. The Tribunal considers that the Applicant has met the requirements of section 29 of the Landlord and Tenant Act 1985 and the Tenant's Association (Provisions Relating to Recognition and Provision of Information) (England) Regulations 2018 and, accordingly finds that Honduras Wharf Tenants' Association should be recognised as a tenants' association.
9. The recognition is for a period of 5 years commencing 12 April 2022 and a copy of the certificate is enclosed with this decision.

V Ward



**First tier Tribunal (Property Chamber)
Residential Property**

CERTIFICATE OF RECOGNITION

An application from Honduras Wharf Tenants' Association for a Certificate of Recognition under the provisions of Section 29 of the Landlord & Tenant Act 1985, as amended by Paragraph 10 of Schedule 2 to the Landlord and Tenant Act 1987 has been considered by:

Vernon Ward BSc Hons FRICS


who is a person appointed to act as a member of the First-tier Tribunal Property Chamber.

This is to certify that

Honduras Wharf Tenants' Association

is a Recognised Tenants' Association for the purpose of the aforementioned Section.

The Certificate will be valid for a period of 5 years commencing on 12 April 2022, unless previously cancelled.

Signed.....

(one of the persons appointed by the Lord Chancellor as
a member of the First-tier Tribunal)

12 April 2022